



Agenda Item Number: 2005-1-10A

BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS

Meeting Date: January 11, 2005

Department: Zoning, Building, Planning
And Environmental Health

Staff Contact: Sanford Fish, Director

Julie Baca, Deputy County Manager for
Community Services Division

TITLE: Pending Annexation - AXBC 40-015

ACTION: Denial

SUMMARY:

The following annexation, submitted for review by the Board of County Commissioners prior to hearing by the City of Albuquerque, is recommended for denial.

AXBC 40-015 Carl Manning, agent for Anthony Saiz, requests annexation of a portion of Tract 5-B, Summary Plat of Lands of Sisters of the Order of Saint Dominic of Grand Rapids, Michigan and Land of Mr. and Mrs. Serafin Saiz, currently zoned County A-1 with proposed zoning of City SU-2-IP-EP, located north of Alameda Boulevard NE, between Edith Boulevard NE and the North Diversion Channel, containing approximately .06 acres (B-16).

The applicants indicate that they desire annexation of this property to facilitate its sale to the owner of the adjacent tract, a construction yard that is already within the Albuquerque municipal limits. The property proposed for annexation is a small triangular portion of a larger parcel, Tract 5B, and will have to be legally subdivided to avoid having the jurisdictional boundary cut through the existing parcel. This should be accomplished through the City of Albuquerque following annexation in order to combine the tract with the adjacent parcel.

The Bernalillo County Public Works Division's comments below indicate significant concerns regarding potential construction yard access through this property to Edith Boulevard. If annexed, the County would lose control of the access conditions, which could divert significant non-residential traffic to this portion of Edith Boulevard, with a negative impact on the residents of this area. County Public Works is willing to discuss access issues with the applicant and the City of Albuquerque to see if there is any possible agreement that could be reached to address these impacts. If the Board approves the annexation, Public Works has provided several conditions to incorporate in the Board's decision.

According to the survey provided by the applicant, the property is extremely small, approximately 2,600 square feet, and quite long and narrow, measuring 16.3 feet wide at its northern end and tapering to a point at its southern end, with a length of over 320 feet from north to south. This triangle is connected to the larger portion of the parcel by another narrow piece of land, approximately 130 feet in length and 69 feet wide where it meets main part of the property. This second narrow piece of land also abuts the municipal limits to the east and the application indicates that this property will also be combined with the adjacent city land to the east to form another

parcel. Because of this, if the annexation does move forward, the application should be expanded to include this second portion of the property, with subdivision carried out through the city's process as noted above.

ATTACHMENTS:

1. Department Comments
2. Annexation Packets

FISCAL IMPACT

See attached Fiscal Impact Analysis

STAFF ANALYSIS SUMMARY

COUNTY MANAGER

As indicated in staff comments, staff is recommending denial because several concerns have been raised regarding this proposed annexation. The Board could choose to defer any action and direct Public Works staff to meet with the applicant and other affected parties in order to try to resolve issues. TL 1/6/05

DEPUTY COUNTY MANAGER FOR COMMUNITY SERVICES

There are significant issues and valid concerns regarding the proposed annexation as noted by the Deputy County Manager for Public Works and by the Director of the Zoning, Building & Planning Department. The applicant requests County's approval to annex a portion of Tract currently existing in Bernalillo County to facilitate its sale to the adjacent property owner residing in the City of Albuquerque jurisdiction. The potential construction yard issues addressed herein, if the annexation is approved, could potentially affect residents of this area. Recommend approval for County Public Works to discuss a possible agreement between the applicant and the City of Albuquerque that would appropriately discuss the County's concerns. Recommend denial of annexation request. Julie M. Baca, 01/05/05

DEPUTY COUNTY MANAGER FOR PUBLIC WORKS

AXBC 40015 – This annexation request involves property located on the east side of Edith Boulevard, NE, and south of Fresquez Lane, NE. According to the application, the applicant wishes to sell the property to the adjacent owner to the south and east for residential purposes. At this time, the adjacent property is being used as a construction yard. By obtaining this property, it appears that access to Edith Boulevard, NE, at this location is possible for ingress and egress to the construction yard. Bernalillo County Public Works Division is concerned that this potential access could significantly increase the heavy truck traffic on Edith Boulevard, NE, thus having a negative impact on the local Bernalillo County residential traffic utilizing this portion of Edith Boulevard. Through annexation, Bernalillo County will lose control of the access conditions for this property.

Thus, the Bernalillo County Public Works Division recommends not approving this annexation request. Bernalillo County Public Works is amenable to discussing a possible agreement between the applicant, the City of Albuquerque, and Bernalillo County that would appropriately address the County's concerns.

If this annexation is approved, the City of Albuquerque shall coordinate with the Bernalillo County Public Works Division on the transfer of maintenance of those sections of County maintained road(s) that will be accepted by the City with this annexation. This annexation will incorporate a section of Edith Boulevard, NE. It is recommended that the City of Albuquerque take over maintenance of the entire portion of Edith Boulevard, NE, between Alameda Boulevard, NE, and Fresquez Lane, NE.

Water infrastructure is located along Edith Boulevard, NE, and within the existing property immediately south and east of this parcel. If necessary, the developer of this property should coordinate line extensions with the Albuquerque Bernalillo County Water Utility Authority.

Sewer infrastructure is located within the existing development to the west and within Edith Boulevard, NE, to the north and south of this parcel. The developer of this property should coordinate line extensions with the Albuquerque Bernalillo County Water Utility Authority. No portion of this area is located within a designated flood plain. However, if development affects drainage to adjoining property within the unincorporated County, this development shall be coordinated with the County Floodplain Administrator and grading and drainage plans associated with this development shall be provided to Bernalillo County Public Works Division for review.

DEPUTY COUNTY MANAGER FOR PUBLIC SAFETY

There is no adverse impact to public safety noted. These types of annexations will continue to create “checkerboard” areas that will require changes and adjustments for all first responders...
jdantis 1/4/05

DEPUTY COUNTY MANAGER FOR FINANCE

See Fiscal Impact Analysis. Dan Mayfield 1/4/05

LEGAL

The Commission’s review and approval/denial of these annexation requests was made possible by the passage of SB 241, which requires Commission approval before the property may be annexed. No adverse comment. PFT 12/15/04